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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/373,795	08/13/1999	MARK A. BAKKE	98-127-NSC	2949
51344 7590 04/29/2009 BROOKS KUSHMAN P.C. / SUN / STK 1000 TOWN CENTER, TWENTY-SECOND FLOOR SOUTHFIELD, MI 48075-1238				
EXAMINER				
CHANNAVAJJALA, SRIRAMA T				
ART UNIT		PAPER NUMBER		
2166				
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04/29/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/373,795

Applicant(s)

BAKKE ET AL.

Examiner

SRIRAMA CHANNAVAJJALA

Art Unit

2166

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-20 is/are allowed.
- 6) ☒ Claim(s) 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

- Claims 1-20 are pending in this application
- Examiner acknowledges applicant's amendment to Claim 11 filed on 1/12/2009
- In view of the "***Board of Patent Appeals and Interferences***" decision mailed on 13 September 2006:

Claims 1-10 have been cancelled

Claims 11-15 have been rejected

Claims 16-20 have been "allowed"

- Claim 16 is allowed for the reasons set forth at page 10, 2nd paragraph of the "Board of Patent Appeals and Interferences", claims 17-20 depends from claim 16 is also allowed.

Drawings

- The Drawing filed on 8/13/1999 are approved by the Draftsperson under 37CFR 1.84 or 1.152.

Information Disclosure Statement

1. The information disclosure statement filed on 8/13/1999 is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy was mailed with the previous Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berbec et al. [hereafter Berbec], US Patent No. 6,122,631 filed on March 28, 1997 and published on Sept 19,2000 in view of Imai et al. [hereafter Imai], US Patent No. 5987476.

6. As to claim 11, Berbec teaches a system which including 'A method for accessing a file referenced by a file name [col 1, line 49-52, line 58-61, col 2, line 51-55, fig 1], Berbec is directed to dynamically manage access for the distributed file system [see fig 1], file referenced by a file name corresponds to file system element 108 having hierarchical file system consisting of directories, subdirectories, but also file system typically have pathname, file name and like as detailed in col 2, line 55;

'sending the file name to a name server' [col 3, line 54-55, line 67, col 4, line 1-4], Berbec specifically teaches NFS or network file system in which file element is created and the server have the access to the files from the file system as detailed in col 3, line 54-55, line 67, line 1-4], it is also noted that Berbec specifically suggests "distributed file system where client and servers connected through a network [see fig 1];

'receiving a file identifier corresponding to the file name [col 4, line 47-52], Berbec specifically teaches resource name, pathname particularly, server provides file system information that including file name from which the token back into a file name element 306;

'sending the file identifier to a location server, the location server separate from the name server' [col 6, line 3-7, line 11-14, line 30-35], Berbec specifically teaches

finding the specific file identifier related to the token and checks validity and the file system converts file identifier to respective file name and sending to the location server that corresponds to LAN server element 104' which is different from the object server element 106;

'receiving file location information corresponding to the file identifier' [col 6, line 52-58], Berbec specifically teaches token list containing the specific file identifiers from the LAN server element 104';

'accessing the file using the location information' [col 6, line 58-60], Berbec specifically teaches granting the access request by providing LAN server [location server maintains location information related to file list element 114].

It is however, noted that Berbec does not specifically teaches "sending by client, receiving at the client, accessing by the client, although Berbec specifically directed to client and distributed file system and object server does connected to "communications channel", particularly local area network or LAN [see fig 1,5-9, col 2, line 42-54]. On the other hand, Imai disclosed "sending by client ,receiving at the client, accessing by the client" [fig 1,7, col 7, line 35-67, col 8, line 51-62]; particularly, Imai teaches file transfer requests in a client-server environment corresponds to receiving and/sending at client and /or server to and from the specific locations using request handling unit, request processing unit from file server as well as file request unit, file receiving unit from the file requesting client side as detailed in fig 1.

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate file reading scheme in a client-server environment of

Imai et al. into dynamic server managed access control for a distributed file system of Berbec et al. because both Berbec, Imai specifically teaches accessing file in a client-server environment [see Berbec: Abstract, fig 1; Imai: Abstract, fig 1,7] and they are from same field of endeavor. Because both Berbec, Imai teach file accessing, file storage in a client-server environment, it would have been obvious to one of the ordinary skill in the art to modify Berbec method for the other to achieve the predictable result of specific file name associated with file identifier transferred between client and server according to specified protocol in a computer network environment

7. As to claim 12, Berbec disclosed 'each file is stored as at least one file extent, the file identifier comprises a file handle' [col 2, line 33-36], Berbec specifically teaches file handle or descriptor that identifying the specific file.

8. As to claim 13, Berbec disclosed 'each file is represented in storage as an object [col 3, line 5-7], Berbec specifically suggests server fig 1, element 106 uses tokens to the file system to provide controlled access to protected objects element 110; 'each file identifier is an object identifier' [col 3, line 10-13].

9. As to claim 14, Berbec disclosed 'accessing file metadata stored in the location server' [col 4, line 38-45], metadata corresponds to data items associated with the file as detailed in col 4, line 38-45.

10. As to claim 15, Berbec disclosed 'sending the file identifier and a new file name to at least one name server, thereby registering the new name for the file' [col 3, line 10-13, line 54-56].

Response to Arguments

11. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record

US Patent No. 6,122,631

US Patent No. 5,987,476

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

/Srirama Channavajjala/
Primary Examiner, Art Unit 2166